

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 FARNAZ TEHRANI,

5 Plaintiff,

6 v.

7 UNITED STATES DISTRICT COURT FOR  
8 THE DISTRICT OF NEVADA,

9 Defendant.

Case No. 3:19-cv-0349-MMD-CLB

**REPORT AND RECOMMENDATION  
OF U.S. MAGISTRATE JUDGE<sup>1</sup>**

10 **I. DISCUSSION**

11 On June 24, 2019, Plaintiff submitted a *pro se* civil rights complaint. (ECF No. 1-  
12 1). Plaintiff did not pay the full filing fee and submitted an insufficient *in forma pauperis*  
13 application. Thus, the court, directed Plaintiff to fully complete an *in forma pauperis*  
14 application. (See ECF No. 4). Plaintiff was given until September 13, 2019 to file an  
15 application to proceed *in forma pauperis*, which Plaintiff failed to do. Instead, Plaintiff filed  
16 a notice and bill for \$400,000 to the U.S. District Court (ECF No. 5), as well as a letter to  
17 the court that states Plaintiff never filed a complaint with the court and asks that the court  
18 stop sending letters. (See ECF No. 7.) The court interprets the letter as a motion to  
19 voluntarily withdraw this case.

20 Accordingly, the court recommends that this action be dismissed without prejudice,  
21 for Plaintiff's failure to file an application to proceed *in forma pauperis*, and based on  
22 Plaintiff's filing of the letter at ECF No. 7.

23 The parties are advised:

24 1. Pursuant to 28 U.S.C § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of  
25 Practice, the parties may file specific written objections to this report and recommendation  
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27 <sup>1</sup> This Report and Recommendation is made to the Honorable Miranda M. Du, United  
28 States District Judge. The action was referred to the undersigned Magistrate Judge  
pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice IB 1-4.

1 within fourteen days of receipt. These objections should be entitled "Objections to  
2 Magistrate Judge's Report and Recommendation" and should be accompanied by points  
3 and authorities for consideration by the District Court.

4 2. This report and recommendation is not an appealable order and any notice  
5 of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District  
6 Court's judgment.

7 **II. RECOMMENDATION**

8 For the reason stated above, the court recommends that the District Court enter  
9 an order **DISMISSING** this action without prejudice.

10 **DATED:** March 12, 2020.

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13 **UNITED STATES MAGISTRATE JUDGE**  
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